

State of Tennessee

Department of Education

Report of School System/School Compliance
Based on Tennessee Statutes and State Board of Education
Rules, Regulations and Minimum Standards for
Approval of Schools

Grades PK-12

The Report of School System/School Compliance is one document used in the approval process. The listing in this report is not an all-inclusive listing of approval standards. Some regulations are monitored through other data sources such as the system calendar, teacher, student and class information. All data sources will be considered in the approval process.

I certify that the school system/school is in compliance with Tennessee statutes. I certify that the school system/school is in compliance with the State Board of Education rules and regulations except for those items listed below for which a compliance plan has been given.

School System/School Name: _____

Director Signature: _____

Date of Board Approval: _____

Board Chair Signature: _____

AREAS OF NON-COMPLIANCE (List Rule Number)	PLAN FOR COMPLIANCE (State Plan With Time Lines)

(continued on page two)

The attached laws and rules are provided for your convenience. Please complete and mail only page one and, if necessary, page two.

MAIL TO: THE OFFICE OF SCHOOL APPROVAL 6th FLOOR, ANDREW JOHNSON TOWER 710 JAMES ROBERTSON PARKWAY NASHVILLE, TN 37243	DUE DATE: OCTOBER 15, 2003
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AREAS OF NON-COMPLIANCE	PLAN FOR COMPLIANCE

The General Assembly has authorized the State Board of Education to prescribe curricula and to make rules and regulations for approval and governance of all public schools, grades K through 12, or any combination of these grades (Section 49-1-101, through 49-6-201 Tennessee Code Annotated). However, certain laws have been enacted and are still in effect, which are applicable to schools and school personnel. As part of the compliance report of the school system, the status of the LEA with respect to the legal duties and responsibilities should be carefully checked. There are no provisions in the laws whereby waivers may be granted or exceptions made for non-compliance.

Information concerning public school law is contained in the following publication: Tennessee Code Annotated (Vol. 9) - The Miche Company, Charlottesville, VA.

Part 1. SOME LAWS APPLICABLE TO SCHOOLS, SCHOOL PERSONNEL,
AND INSTRUCTION

**TENNESSEE CODE
ANNOTATED**

STATUTE

Special Days

15-2-101 The people are invited to observe the following special days in the public schools of this state: Robert E. Lee Day, Abraham Lincoln Day, Andrew Jackson Day, Memorial Day or Confederate Decoration Day, Nathan Bedford Forrest Day, Veteran's Day, Martin Luther King Day, and American Indian Day.

Criminal

39-17-1505 Students who possess a tobacco product shall be issued a citation.

39-17-1604 Prohibits smoking on any public or private school property, including bleachers at sporting events and restrooms. Institution failing to enforce is subject to \$500 fine.

Instruction

49-5-201 It shall be the duty of the teacher to teach the Constitution of the United States.

49-5-201 It shall be the duty of the teacher to teach the Constitution of Tennessee.

- 49-5-1003 It shall be the duty of the principal and teachers to instruct pupils in the art of safety, for at least fifteen minutes each week.
- 49-6-303 (d) LEA shall implement an intervention program in grades 1 and 2 dealing with conflict resolution and decision-making strategies.
- 49-6-1001 All teachers shall have pupils study the uses, purposes, and methods of displaying the American flag and other patriotic emblems and shall teach the history and usage of the pledge of allegiance to the flag of the United States of America.
- 49-6-1006 Every public school shall include at some appropriate grade level or levels courses and contents designed to educate children in black history and culture and the contribution of black people to the history and development of this country and of the world.
- 49-6-1007 Each public school shall include character education within the course of instruction.
- 49-6-1010 Every candidate for a full high school diploma after September 1, 1994 shall have received a full year of computer education at some time during his educational career.
- 49-6-1202 Every high school shall require every student to have at least one year of instruction in American history and government.
- 49-6-2206 No teacher or principal shall use or permit to be used any textbooks not on the approved list. Violators shall be fined.

Other Laws

- 10-7-504 The records of students in public educational institutions shall be treated as confidential.
- 37-1-403 Each school system shall develop procedures for reporting suspected cases of child abuse and neglect.
- 49-1-1101 et.seq. Establishes new statutory provisions for school based early childhood programs.

- 49-2-110 Authorizes public schools, if authorized by the board of education, to receive funds for student activities and for other internal school purposes, provided that the school shall not require any student to pay a fee to the school for any purpose, except as authorized by the Board of Education, and provided further that no fees or tuition shall be required of any student as a condition to attending the public schools, or using its equipment while receiving educational training.
- 49-2-114 LEA shall establish a process by which to waive all school fees for students who receive free or reduced price school lunches.
- 49-2-120 School system shall adopt written policies prohibiting hazing by any student or organization operating under sanction of the LEA.
- 49-2-202 All board members shall be properly trained during the service on the local board of education.
- 49-2-203 School system shall adopt a written policy regarding the method of accepting and reviewing applications for and interviewing candidates for the position of director of schools.
- 49-2-207 Local board of education shall compile and publish an official operating policy pamphlet which shall contain, but not be limited to, such procedures as have been established by letter, directive, written or verbal memorandum, custom or tradition and by which schools are managed, operated, or controlled. Such policy pamphlet shall be updated annually. A copy of the updated board of education operating policy pamphlet shall be distributed to each principal of each local school system to be kept on file and available in each school library during and immediately after normal school hours. Permits local boards of education to satisfy dissemination and availability of information requirements by allowing operating policy pamphlets to be kept in electronic format and available in each school library.
- 49-2-211 LEA shall develop policy setting forth rights of students and parents and guidelines for teachers and principals relative to the administration of surveys, analyses or evaluations of students.
- 49-3-339 System has provided required amount of money for every teacher in grades K-12 for instructional supplies.

- 49-3-359 One full-time public school nurse position for each 3,000 students or one (1) full-time position for each LEA, whichever is greater, has been provided or plan outlining alternative arrangements has been submitted to SDE.
- 49-5-201 It shall be the duty of the teacher to observe any other rules and regulations relative to the service of teachers which may be made by the county board of education.
- 49-5-201 It shall be the duty of the teacher to record accurately the number of pupils present and the number absent each day before leaving the school building.
- 49-5-201 It shall be the duty of the teacher to give at least one (1) fire drill each month during the term and three (3) additional safety drills during the school year.
- 49-5-201 It shall be the duty of the teacher to open and close the school each day at the time fixed by the county board of education.
- 49-5-201 It shall be the duty of the teacher to make a report promptly at the close of the term on all items included in the abstract in the teacher's register and to certify its correctness by affidavit. (Use of TSR software complies with law.)
- 49-5-412 Each school system shall have a full-time supervising principal in schools with nine or more teachers.
- 49-5-413 LEA shall require criminal background checks for applicants for teaching positions or other positions requiring proximity to school children. (Effective January 1, 2000)
- 49-5-414 Encourages every public school to have an employee or volunteer trained in CPR and first aid and authorizes the use of up to 6 1/2 inservice hours of training.
- 49-6-201 Children entering kindergarten shall be five years of age on or before September 30 of the current kindergarten term.
- 49-6-303 Each local education agency shall employ or contract with school counselors for grades pre-kindergarten (pre-K) through twelve (12).

- 49-6-1002 Unlawful to dismiss school or any group of pupils for the purpose of permitting them to play baseball, football, basketball, or any other similar game, without written permission from the governing board of said school; provided that nothing in this section shall be construed to preclude regular physical training lessons as a part of the daily program of said school.
- 49-6-1004 Each public school shall provide for a period of silence at the beginning of each school day.
- 49-6-1301 Each school system shall locally devise, adopt, and implement a program of family life instruction which includes a component addressing the nature and prevention of AIDS and other sexually transmitted diseases.
- 49-6-2005 The United States flag shall be displayed on every public school building.
- 49-6-3001 Minimum age for admission of a pupil established by the State Board of Education. (See 0520-1-3-.03 (10) Rules, Regulations, and Minimum Standards.)
- 49-6-3004 Each school system shall maintain a term of not less than 200 days divided as follows: 180 days for classroom instruction, 10 days for vacation with pay for a 200 day term, 5 days for in-service education, 1 day for teacher-parent conference, and 4 other days as designated by the local board of education upon the recommendation of the superintendent of schools.
- 49-6-3007 It shall be the duty of the principal or teacher to report promptly to the superintendent the names of all children who have withdrawn from school, or who have been absent an aggregate of five (5) days without adequate excuse. Each successive accumulation of five (5) unexcused absences by a student shall also be reported with a new notice being sent after each successive accumulation of five (5) unexcused absences. Defines "expulsion", "suspension", and "remand" for purposes of coding student's absences. It limits suspensions to no more than ten (10) consecutive days. Any suspensions over ten (10) consecutive days or fifteen (15) total days in a month of school attendance shall be considered an expulsion. Remand is defined as being placed in an alternative school. This bill gives school systems a standard set of definitions for reporting.
- 49-6-3016 Designates the month of February as Tennessee and American History Month and calls upon teachers to arrange special programs in observation thereof.

- 49-6-3017 Perpetuates the law requiring the suspension or denial of a driver's license to school dropouts or students with more than (10) consecutive or fifteen (15) total unexcused absences.
- 49-6-3050 Home school parent may register after August 1 but before September 1 upon payment of \$20 per family for each week notice is late. Superintendent may waive September 1 deadline for good and sufficient reasons. Attendance teacher must be informed yearly of parents' right to conduct a home school.
- 49-6-3401 Authorizes suspension of pupil for off-campus criminal behavior which results in pupil being charged with felony, if his continued attendance is disruptive or poses a danger. Gives state definition of only areas that are considered zero tolerance.
- 49-6-3402 School system shall establish at least one alternative school for students in grades 7 through 12.
- 49-6-4209 Expands the definition of weapon, the possession of which the principal is required to report to law enforcement officers, to include those carried by student with intent to go armed.
- 49-6-4209 All school personnel must report reasonable suspicion of student's weapons law violation to the principal or designee, or in their absence may report to appropriate authorities.
- 49-6-4216 Encourages local and county boards of education to develop a zero tolerance policy towards any student who engages in misconduct with drugs, drug paraphernalia, violence and dangerous weapons. Requires the annual reporting of zero tolerance offenses to the state.
- 49-6-5001 No children shall be permitted to attend any public school, nursery school, kindergarten, preschool or day care without proof of immunization.
- 49-6-56-6 LEA shall provide two tenured teachers to supervise an apprentice teacher for three normal school years prior to issuance of professional license.
- 49-6-6002 No state mandated test shall be conducted earlier than the third (3rd) grade, except that when the first and second grade tests provided for in Section 7 are available, these tests shall be conducted. Section 7 reads: The Commissioner of Education and the State Board of Education shall recommend to the Joint Oversight Committee on Education by January 1, 1998, a diagnostic method for evaluating reading and other basic skills in the first and second grades.

- 49-6-6003 A comprehensive writing assessment shall be conducted in grades four (4), seven (7), and eleven (11).
- 49-50-801 Defines church-related school to include members of the Tennessee Association of Church Related Schools.
- 62-4-122 Licensed cosmetologist must be on premises of public school or vocational school whenever the cosmetology program is in operation. (Deletes requirement that the person be on duty.)
- 55-8-147 Requires school buses to stop at all railroad grade crossings whether or not carrying school children, instead of only when carrying school children.

The following is a listing of the public chapters pertaining to education from the 2003 legislative session:

Public Chapter	Description	Amends Tenn. Code Ann. §	Effective Date
4	Permits reduction of 200 day school term due to severe weather; applicable to 2002-03 school year only	49-6-3004(a)	3/24/03
			(repealed effective 8/31/03)
14	Allows vocational / industrial classes to construct one residential modular building per year and be exempt from licensure requirements	68-126-3	4/11/03
30	Adds FBI criminal history records check to the background check that organizations MAY require of persons working with children (does not change existing statute (TCA 49-5-413) on schools requiring school employee background checks)	37-1-414(a)(2) and 37-1-414(b)	7/1/03
36	Allows custodians of school records to submit subpoenaed student records to the court under seal	49-50-1502, -1503(a), -1504, -1505, -1506, -1509(a)	4/22/03

71	"Power of Attorney for Care of a Minor Child Act" - establishes a mechanism for parents to delegate temporary care-giving authority to any adult	34-6-301 through 310, 37-1-140, 49-6-3001(c)(6)	5/5/03
88	Authorizes commissioner of education to distribute new school laws electronically	49-1-201(c)(7)	7/1/03
91	Requires appointment of one k-12 public school teacher to state board of education	49-1-301(a)	7/1/03
110	Changes early childhood education eligibility standards to free and reduced priced lunch eligibility criteria	49-6-101	5/12/03
180	Prohibits school bus drivers from using mobile telephones while operating a school bus	55-8-192	7/1/03
217	Ensures eligible employees of charter schools are eligible for social security coverage	8-38-1	6/2/03
221	Creates a cause of action for school boards to receive restitution for local per pupil expenditure when an out of district student is fraudulently enrolled	49-6-3003(C)	7/1/03
225	Requires municipalities to assess impact of annexation on school attendance zones	6-51-102(b)(2)	7/1/03
228	Authorizes local education agencies to purchase equipment under the same terms of bid by another LEA	12-3-1004(a)(1) through (b)(2)(B)	6/2/03
238	Requires notice to school officials when a student adjudicated delinquent for certain offenses is enrolled in school	37-1-140; 37-1-153(e); 37-1-154; 49-6-3051; 37-1-131(a)(2)	6/2/03
268	Authorizes boards of education to compensate teachers the difference in regular pay and military pay while engaged in military service	49-5-702	6/4/03
273	Requires state board of education to study and determine academic fields where critical teacher shortages exist	Title 49	6/4/03

285	Deletes superseded and obsolete language referring to kindergarten as non-mandatory	49-6-301	7/1/03
298	Education lottery scholarship bill - establishes scholarship program and eligibility standards	Title 3, Title 4, Title 33, Title 38, Title 39, Title 48, Title 49 and Title 68	6/11/03
299	Changes child restraint law - sets standards for transporting children in passenger motor vehicles through age 15	55-9-602	7/1/04
308	Authorizes all public employers to provide partial compensation to any employee while in military service	8-33-109	6/11/03
315	Allows state board of education to continue temporary probation for teacher education institutions	49-5-5607	6/11/03
317	"Tennessee Personal and Commercial Computer Act of 2003" - creates criminal penalties for certain computer related activities	39-14-6	7/1/03
325	Extends existence of the state textbook commission	4-29-224(a); 4-29-230(a); 49-6-2201	6/11/03
355	"Omnibus" bill implementing reallocation of public funds and reserves - See SECTION 59 and SECTION 60 allowing for use of BEP funds for salary increases and flexibility of use of accumulated fund balance	Multiple code sections (49-3-306(d) and 49-3-352 relative to education)	6/16/03
381	Creates a special joint committee to study mold abatement in public schools	49-1-2	6/23/03
404	Establishes "Inner City Educational Enhancement Pilot Project Act of 2003" - applies to 2 school systems having greatest number of schools on probation	49-1-1 and 49-1-602	7/1/03

Part II. RULES, REGULATIONS AND MINIMUM STANDARDS

Non-compliance with rules and regulations for which the school system/school has a specific plan for compliance will be reviewed and considered for waiver by the Commissioner. A school system/school may be approved with waivers granted by the Commissioner. Failure to correct the deficiency will be a factor in the approval of the school system/school the following school year.

If additional information is needed regarding any of these items, please refer to your current copy of Rules, Regulations and Minimum Standards.

RULE NUMBER	RULE
EMPLOYMENT STANDARDS #0520-1-2-.03	All employees hold appropriate license/endorsement for work assignment, meet specific employment standards, <u>or a request has been made for a waiver of employment standards or permit to be issued.</u> Principals of schools with 225 or more students have endorsement as principal, administrator/supervisor or beginning administrator for the grades supervised.
ALTERNATIVE SCHOOLS #0520-1-2.03	All alternative school classrooms have working way communication systems and all alternative school teachers and other employees have been trained to use the system.
SCHOOL BOARD TRAINING #0520-1-2-.11	All school board members have participated in seven hours of training provided by the School Board Training Academy. (refers to previous school year).
ADMINISTRATION OF SCHOOLS #0520-1-3-.03	Full-time classroom teachers in grades K-8 assigned planning time of not less than one hour per week. All teachers are provided each day with a lunch period during which they do not have assigned duties.

All full-time students in grades 9-12 are enrolled each semester in subjects that produce a minimum of five credits for graduation per year.

TCAP is administered in grades 3-8 and high school subject matter assessments are administered in grades 9-12.

School system/school conducts a comprehensive developmental screening program.

School system/school keeps appropriate student records, provides student progress reports at least every nine weeks and has developed and implemented grading, promotion and retention policies.

School system/school has established specific policies and procedures to waive school fees for verified students, including the distribution of the USDA multi-use application to all students.

School system/school has a disaster preparedness plan, a school safety plan and practices emergency safety procedures.

Each local board of education has a long-range strategic plan. All schools have implemented a school improvement plan.

Children entering kindergarten meet the age requirement of being five on or before September 30.

EVALUATION OF LICENSED
#0520-1-3-.04

School system/school meets the standards and procedures for the evaluation of all licensed personnel.

STATE CURRICULUM
#0520-1-3-.05

School system/school uses all required state curriculum frameworks for the appropriate grade level and subject and uses them as the basis for planning instructional programs.

All areas of instruction as outlined in RRMS are offered.

GRADUATION

#0520-1-3-.06

School system/school meets SBE requirements (Core Curriculum, University Preparation Curriculum, Technical Preparation Curriculum) for graduation and awards appropriate diplomas/certificates.

School system/school is operating under a local board policy regarding the minimum and maximum units in any course or subject area for which a student may earn credit toward graduation.

**INSTRUCTIONAL
MATERIAL SERVICE**

#0520-1-3-.07

School system/school meets the requirements for library media personnel.

School system/school meets the requirements of at least 12 items per student in average daily attendance plus required reference books and periodicals.

**PUPIL PERSONNEL
SERVICES**

#0520-1-3-.08

School system/school is operating under local board policies for attendance, guidance, school psychological, school social work and school health services.

School system/school has a written policy providing for a complete medical examination or medical assessment for every child entering school for the first time.

School system/school has a written policy for handling drug/alcohol problems.

School system/school has a comprehensive local AIDS plan which addresses appropriate education programs, confidentiality, liability, personnel, safety, curriculum, education, communications and public relations.

School system/school and school personnel have implemented for all children and adults the universal precautions as defined by the Department of Health for handling blood and other body fluids.

School system/school follows all state requirements for AIDS, ARC, and HIV.

School system/school requires, after an offer of employment has been made to an applicant and prior to commencement of employment duties, each employee to present a physician's certificate showing a satisfactory health record.

**SPECIAL EDUCATION
PROGRAMS AND SERVICES**
#0520-1-3-.09

School system/school has an approved special education plan.

School system/school uses appropriate procedures to identify, locate, evaluate, determine eligibility and serve children entitled to special education and related services.

SCHOOL FACILITIES
#0520-1-4-.01

School system/school complies with rules, regulations and codes of the city, county and state regarding planning of new buildings, alterations and safety.

School system/school observes all fire safety regulations and procedures promulgated by the Tennessee Fire Marshal's office.

School system/school has classrooms, laboratories, and libraries which are sufficient in number, adequate in space, and constructed and arranged to be conducive to carrying on assigned activities.

Playgrounds and physical education facilities are well maintained, free from hazards, and large enough to permit an adequate program of physical education.

VOCATIONAL EDUCATION
#0520-1-7

School system/school has an approved vocational education plan.